

and was paralyzed in my right side. I had taken almost everything for my prostate gland trouble and the pain from urinating was so great that I could hardly stand it. * * * your Alvita Tablets. From the first day's treatment I began feeling better. I had to get up from three to seven times a night. I have taken a box and a half of the Alvita Tablets and now do not get up more than once a night and pain is all gone. * * * It surely does help one so much. I wish I could let all who are suffering know of this great remedy. * * * In bladder and prostate conditions the relief was very noticeable in each case and up to this time has continued. I found them good in aiding digestion; also constipation and in general run-down conditions."

On June 10, 1930, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17621. Adulteration and misbranding of ether. U. S. v. One Hundred ¼-Pound Cans of Ether. Default decree of condemnation, forfeiture, and destruction. (F. & D. 24075. I. S. No. 021189. S. No. 2297.)

Samples of ether from the herein described interstate shipment having been found to contain peroxide, indicating deterioration, the Secretary of Agriculture reported the matter to the United States attorney for the Middle District of Pennsylvania.

On September 19, 1929, the said United States attorney filed in the District Court of the United States aforesaid a libel praying seizure and condemnation of one hundred ¼-pound cans of ether, remaining in the original unbroken packages at York, Pa., alleging that the article had been shipped on or about August 30, 1929, by the Ohio Chemical & Manufacturing Co. (from Cleveland, Ohio) in interstate commerce to New York, N. Y., from thence to Hoboken, N. J., and then reshipped to York, Pa., and charging adulteration and misbranding in violation of the food and drugs act.

Analysis of a sample of the article by this department showed that the ether contained peroxide.

It was alleged in the libel that the article was adulterated in that it was sold under a name recognized in the United States Pharmacopeia, and differed from the standard of purity as determined by the test laid down in said pharmacopoeia, since it contained peroxide. Adulteration was alleged for the further reason that the article fell below the professed standard under which it was sold, namely: (Label) "The exceptional purity of this Ether * * * The exclusion of air by carbon dioxide prevents the oxidation of ether to * * * peroxides by atmospheric oxygen."

Misbranding was alleged for the reason that the above-quoted statements from the label were false and misleading.

On August 20, 1930, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17622. Misbranding of Johnson's chill and fever tonic. U. S. v. 2 Dozen Bottles of Johnson's Chill and Fever Tonic. Default decree of condemnation entered with provision for release under bond. (F. & D. No. 23838. I. S. No. 09344. S. No. 2041.)

Samples of a drug product known as Johnson's chill and fever tonic having been found to bear in the labeling, curative and therapeutic claims that were not justified by its composition, the Secretary of Agriculture reported the matter to the United States attorney for the Eastern District of Arkansas.

On July 1, 1929, the said United States attorney filed in the District Court of the United States aforesaid a libel praying seizure and condemnation of 2 dozen bottles of Johnson's chill and fever tonic at Little Rock, Ark., alleging that the article had been shipped by the James F. Ballard Co. (Inc.), from St. Louis, Mo., on or about May 21, 1929, and had been transported from the State of Missouri into the State of Arkansas, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of magnesium sulphate, cinchonine sulphate (7.3 grains per fluid ounce), glycerin, and water.

It was alleged in the libel that the article was misbranded in that the following statements appearing in the labeling were false and fraudulent, since

the said article contained no ingredient or combination of ingredients capable of producing the therapeutic or medicinal effects claimed: (Carton) "Chill and Fever Tonic. * * * If You Have Chills and Fever Take This Tonic. Billious Fever Take This Tonic Swamp Fever Take This Tonic. * * * Johnson's Chill and Fever Tonic Is a Medicine for Chills and Fever and Diseases arising from. * * * Disordered Liver;" (bottle label) "Chill & Fever Tonic;" (circular) "Chill & Fever Tonic * * * such diseases as Chills & Fever, Billious Fever, Swamp Fever."

On July 7, 1930, no answer or other pleading having been filed, judgment of condemnation was entered. The decree provided that the product might be released to the James F. Ballard Co. (Inc.), St. Louis, Mo., for relabeling, upon payment of costs and the execution of a bond in the sum of \$200, otherwise that it be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17623. Adulteration and misbranding of Merle's Brand Epsom salt tablets. U. S. v. 10 Cards, et al., of Merle's Brand Epsom Salt Tablets. Default decrees of condemnation and destruction. (F. & D. Nos. 24660, 24720. I. S. No. 027003. S. Nos. 3017, 3065.)

An examination of a drug product known as Merle's Brand Epsom salt tablets compound having shown that it contained as its principal active ingredients laxative drugs other than Epsom salt, the Secretary of Agriculture reported the facts to the United States attorney for the Western District of Pennsylvania.

On March 26 and April 15, 1930, respectively, the said United States attorney filed in the District Court of the United States aforesaid libels praying seizure and condemnation of 34 cards, each bearing 14 packages of Merle's Brand Epsom salt tablets at Clarion, Pa., alleging that the article had been shipped by the Devore Manufacturing Co., from Columbus, Ohio, in part on or about September 19, 1929, and in part on or about March 19, 1930, and had been transported from the State of Ohio into the State of Pennsylvania, and charging adulteration and misbranding in violation of the food and drugs act.

Analysis of a sample of the article by this department showed that the tablets contained phenolphthalein (three-fifths of a grain each), extracts from laxative plant drugs including podophyllum, and aloe, and magnesium sulphate (2½ grains each).

It was alleged in the libels that the article was adulterated in that it was sold under the following standard of strength, "Epsom Salt Tablets Compound" and "Epsom Salt Tablets," whereas the strength of said article fell below such professed standard since the principal active ingredients were laxatives other than Epsom salt.

Misbranding was alleged for the reason that the statements on the retail carton and display card, respectively, "Epsom Salt Tablets Compound" and "Epsom Salt Tablets," and upon bottle label, "Epsom Salt Tablets Compound," were false and misleading. Misbranding was alleged for the further reason that the statement upon the display card and upon the bottle label, "To be used in place of the ordinary disagreeable Epsom Salts," was false and misleading in that the said statement created the impression that the active ingredient in the said tablets was an unusual and agreeable form of Epsom salt, whereas it was not. Misbranding was alleged for the further reason that the article was an imitation of and was offered for sale under the name of another article.

On July 10, 1930, no claimant having appeared for the property, judgments of condemnation were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17624. Misbranding of Bronchuline. U. S. v. 70 Bottles of Bronchuline. Default decree of condemnation and destruction. (F. & D. No. 24748. I. S. 025597. S. No. 3106.)

Examination of samples of a drug product known as Bronchuline from the herein described interstate shipment having shown that the article contained no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed for it in the labeling, the Secretary of Agriculture reported the facts to the United States attorney for the Western District of Pennsylvania.

On May 7, 1930, the said United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and con-